REMARKS/ARGUMENTS

The referenced Office Action essentially repeats the rejections of the first Office Action. This rejection is again based on Applicant's earlier Patent No. 5,425,473 ('473) and repeats the characterization of the disclosure of Patent '473 which proceeds as follows.

Each of the rejections for independent claims 1, 5. and 12 cites the collator section of the screw feeder disclosed in Patent '473 and, at a later point, the adjacent dispensing section. The rejection in each case goes on to assert that the collator section described in Patent '473 has a "means for selectively opening" the collator section of the container. Yet the means referred to is escapement 21 which is actually in the dispensing section, as is acknowledged at point in these rejections.

To support such a sophism the rejection then conjures up the proposition that what it earlier referred to as a "downstream direction" is for this purpose (only) an "upstream direction" toward the dispensing section. Thus the single "opening means" of Patent '473 becomes two "opening means," one at the dispensing section and the other at an earlier point. This reading of Patent '473 is clearly fanciful.

In this respect, Patent '473 does, of course, contemplate and disclose only a single "opening means," i.e., escapement 21 at the dispensing section. In this patent the flow of screws contemplated and described is downstream in the direction of the dispensing section. Nowhere in the patent is there a disclosure of an "upstream" flow back to the collator section. This is not surprising in that there would be no purpose for back flow since no opening means disclosed for the collator section. The container completely prevents release of the screws from the collator section except to advance to the dispensing section to be discharged one by one at escapement 21.

This proposition has no factual basis in either the disclosures of Patent '473 or this application. Moreover, nowhere in the present application disclosure or claims is there reference to any upstream direction extending in the direction of the escapement of the dispensing section or a downstream direction extending toward the collating section from the dispensing section.

The 35 USC 103 rejection, claims 9-19 is also based on the same fiction that downstream direction is said to be first in one direction and then later in the rejection in the other and the dispensing section is then identified as the collator section. The rejection also erroneously characterizes gate 30 of Patent '473. As noted at column 6, lines 24-27, cutouts 40 are provided at the slot locations at the bottom of gate 30 to allow unimpeded flow under gate 30 of screws in the slots whether gate 30 is opened or closed. (See Col. 6, line 59 to Col.7, line 2).

The purpose of gate 30 is only to control the flow of loose screws that are not in the slots. Thus, it does not fulfill the function of the means for detaining the screws in the tracks as specified in these claims.

Instead, in the patent, fingers 39 are provided which are operable (inserted in the slots) to prevent screws in the slots from sliding back in the collator section when the box is tipped downwardly toward the upstream collator end and removed to permit flow of screws in the slots toward the escapement when the box is tipped upwardly at the upstream end of the collator. (See Col. 7, lines 2-5). However, fingers 39 are also not selectively rendered inoperable during removal of screws as called for in the present claims. Indeed, removal of screws from the collator end is not even contemplated in this patent.

Additionally, Patent '734 discloses a screw feeder in which the dispenser section is only a continuation of the collator section and integral therewith so they can only oscillate together. Thus it neither discloses nor suggests the screw feeder of claims 12-19 having an article dispensing section that oscillates independently of the article dispensing section. Nor does it disclose the regulatory gate between the sections as found in claim 19 or its functionality including opening when both the collator and dispenser sections are tilted back toward the collator end to facilitate flow of articles back to the collator end for removal there.

Applicant here has used flow direction as an apt and convenient descriptor in describing and claiming this invention. However useful, this descriptor is not essential for this purpose. Therefore, in the claims as now presented the up and downstream terminology has simply been completely omitted. This, hopefully, will overcome the apparent fixation on the flow direction descriptor.

The claims as thus modified still retain the relationship of the original claims of a collator section having an article release function and an adjacent and cooperating dispensing section adapted dispense the articles one by one the articles received from the collating section. Thus, like the original claims, these claims clearly define over Patent '473.

In sum, Patent '473 does not describe or suggest any means for removal of screws from the collator end of the box. Indeed, it does not even reveal or suggest the problem solved by the present invention. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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